

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. ) CRIMINAL NO. 06 CR 30071 DRH  
CALVIN C. MONTGOMERY, )  
Defendant. )

**ORDER**

**HERNDON, District Judge:**

For the reason that a witness critical to the government's case in pursuit of it burden of persuasion on the motion pending, the government's Motion to Continue (Docket 36) the hearing on the Motion to Suppress (Docket 32) is GRANTED.

It is therefore ordered that the Motion to Suppress hearing is hereby continued from September 19, 2007. The hearing is hereby rescheduled for October 31, 2007 at 9:30 a.m. Due to the nature of this continuance, the speedy trial time continues to toll and the time expended is excluded from the speedy trial calculation.

SO ORDERED.

DATE: September 11, 2007

/s/ DavidRHerndon  
United States District Judge